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6 Attorney for Eric Banks

7  
8 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**  
9

10 United States of America,  
Plaintiff,

11 v.

12 Eric Banks,

13 Defendant.  
14

Case No. 2:12-cr-00201-KJD-VCF-2

**Stipulation to Extend Deadline  
in Second Amended General  
Order 2023-09 By Thirty (30)  
Days**

15  
16 The United States of America, by Assistant United States Attorney Jim W.  
Fang, and Defendant Eric Banks, by Assistant Federal Public Defender Nisha  
17 Brooks-Whittington, submit the following Stipulation to extend, by thirty (30) days,  
18 the deadline set in Second Amended General Order 2023-09.

19 The parties agree and stipulate to the following:

20 1. On August 21, 2013, this Court sentenced Mr. Banks to 205 months'  
21 incarceration. ECF Nos. 54, 58.

22 2. On May 9, 2024, Mr. Banks filed a *pro se* motion for a reduction of  
23 sentence pursuant to 18 U.S.C. § 3582(c)(2) in light of Sentencing Guidelines  
Amendment 821. *See* ECF No. 103.

1           3.       Second Amended General Order 2023-09 presumptively appoints the  
2 Office of the Federal Public Defender, District of Nevada (“FPD”) to represent any  
3 defendant previously determined to have been entitled to appointment of counsel, or  
4 who is now entitled to appointment of counsel to determine whether that defendant  
5 may qualify for retroactive relief under Amendment 821, and to present any  
6 requests relating thereto to the Court for adjudication that the FPD deems  
7 appropriate under 821. Under Second Amended General Order 2023-09, the FPD  
8 must file, within 30 days of a *pro se* motion or letter, a contested motion, a joint  
9 stipulation for a sentence reduction, or a notice of non-eligibility.

10           4.       The defense is seeking additional time to review Mr. Banks’ case to  
11 determine his eligibility for a reduction of sentence.

12           5.       For the reasons stated above, the parties respectfully request that the  
13 Court issue an order extending the 30-day deadline set by Second Amended General  
14 Order 2023-09, by thirty (30) days.

15           Dated: June 7, 2024

16           RENE L. VALLADARES  
17 Federal Public Defender

18           JASON M. FRIERSON  
19 United States Attorney

20           By Nisha Brooks-Whittington  
21 NISHA BROOKS-WHITTINGTON  
22 Assistant Federal Public Defender

23           By Jim W. Fang  
JIM W. FANG  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 ERIC BANKS,

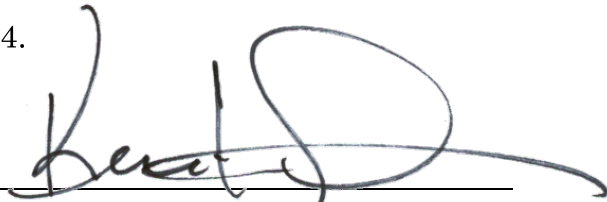
7 Defendant.  
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Case No. 2:12-cr-00201-KJD-VCF-2

ORDER

9 IT IS THEREFORE ORDERED that the parties have until July 8, 2024,  
10 in which to file a contested motion, joint stipulation for a sentence reduction, or a  
11 notice of non-eligibility.

12 DATED this 10th day of June, 2024.

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15 UNITED STATES DISTRICT JUDGE  
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